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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/711,941	10/14/2004	Fumiyuki Ito	040524	5940

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EXAMINER

RODRIGUEZ, GLENDA P

ART UNIT	PAPER NUMBER
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2627

DATE MAILED: 06/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/711,941	Applicant(s) ITO, FUMIYUKI	
	Examiner Glenda P. Rodriguez	Art Unit 2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3 and 4 is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto (US Patent No. 5, 847, 907) in view of Suzuki et al. (US Patent No. 6, 650, 941).

Regarding Claim 1, Hashimoto teaches a method wherein:

Acquiring a plurality of GAP profiles (according the definition of GAP profile in the Applicant's Specification in Page 6, Para 29) by repeatedly carrying out a GAPS test that measures a GAP offset amount for a same magnetic head that has been attached to the magnetic head tester (Col. 4, L. 4-34, wherein Hashimoto teaches measuring positional information in order to calculate the offset with respect to the reading head. It is obvious to a person of ordinary skill in the art to recognize that by monitoring or measuring the position and compensating for any offset is testing as to whether the device is working properly and effectively.);

And calculating a GAP offset fluctuation amount from the acquired plurality of GAPS profiles and setting a calculation result thereof as an index for evaluating a position reproducibility for the magnetic head (Col. 5, L. 62-Col. 6, L. 7, L. 2. Also see Col. 7, L. 22-Col. 8, L. 30. Herein, Hashimoto teaches the MR element

being measured for offset gap calculations with respect to the gap between the read and the write elements.).

Regarding Claim 2, Hashimoto teaches a method wherein:

Acquiring a plurality of GAPS profiles by repeatedly carrying out a GAPS test that measures a GAP offset amount for a same magnetic head that has been attached to the magnetic head tester (Col. 4, L. 35-58, wherein Hashimoto teaches performing a offset measuring profile method according to the recording head position. It is obvious to a person of ordinary skill in the art to recognize that by monitoring or measuring the position and compensating for any offset is testing as to whether the device is working properly and effectively.);

And calculating a write core width fluctuation amount from the acquired plurality of GAPS profiles and setting a calculation result thereof as an index for evaluating a linearity accuracy for the magnetic head tester (Col. 4, L. 59-Col. 5, L. 61, wherein Hashimoto calculates the offset set by the measuring of the write head positional information. Also see Col. 7, L. 22-Col. 8, L. 30).

However, Hashimoto et al. does not explicitly teach wherein the GAP offset fluctuation amount is equal to a GAP offset maximum value minus a GAP offset minimum value. This is taught by Suzuki et al. in Col. 1, L. 52-64, wherein it teaches taking a plurality of values (in which it is obvious that the maximum and the minimum can be found out of the measurements) and calculating the difference in the amplitudes or the measurements between the write head and the read head along the track centerline. It would have been obvious to a person of ordinary skill in

the art, at the time the invention was made, to modify Hashimoto's invention with the teaching of Suzuki et al. in order to set a RW offset as taught by Suzuki et al. in the Abstract.

Allowable Subject Matter

3. Claims 3 and 4 are allowed.

4. The following is an examiner's statement of reasons for allowance:

Regarding Claim 3, the primary reason for allowance is the inclusion of the limitation wherein the 50% position sensitivity is equal to a (second track position minus a first track position) divided by a (second output level minus a first output level).

Regarding Claim 4, the primary reason for allowance is the inclusion of the limitation wherein the 50% position fluctuation amount is equal to a (maximum output level minus a minimum output level) times (the 50% position sensitivity)

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

5. Applicant's arguments with respect to claims 1 and 2 have been considered but are moot in view of the new ground(s) of rejection due to the newly amended Claims. Claims 3 and 4 are allowed as explained herein.

6. Examiner acknowledges that the Applicant has adequately amended the Claim numbering of Claims 1-4.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Glenda P. Rodriguez whose telephone number is (571) 272-7561. The examiner can normally be reached on Monday thru Thursday: 7:00-5:00; alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on (571) 272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2627

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


gpr
06/21/06.
WAYNE YOUNG
SUPERVISORY PATENT EXAMINER